

**JUSTIFICATION FOR OTHER THAN FULL AND OPEN
COMPETITION (JOFOC)
PURSUANT TO TITLE 10 U.S.C. 2304(c)(1)**

1. This document is a Justification for Other than Full and Open Competition prepared by the National Aeronautics and Space Administration (NASA) Dryden Flight Research Center (DFRC).

2. **The nature and/or description of the action being approved:**

This justification provides the rationale for contracting by other than full and open competition for the acquisition of Space Shuttle Landing & Research Aircraft Support Services (SSLRASS) for the Space Shuttle Program (SSP) with Lockheed Martin Mission Services (LMMS). This support will be a follow-on contract to the SSLRASS contract (NND04AA60C) that is currently held at DFRC, which expires in February 2009.

3. **Description of the supplies or services required, include an estimated value:**

The contractor is primarily required to provide management and technical personnel to operate, maintain and repair Space Shuttle landing aids and communications equipment prior to launch, during specified on orbit space flight operations and during Shuttle landings at Edwards. NASA DFRC intends to award a fixed price/cost-plus-no fee contract for 18 months with two six-month options. The total estimated value for this 30 month period is \$6.7 million.

4. **Statutory authority permitting other than full and open competition:**

The statutory authority for proceeding with this acquisition under Other than Full and Open Competition is FAR 6.302-1 (a)(2)(iii). This citation states that full and open competition need not be provided for when the services required by the Agency are available from only the original source in case of a follow-on contract for the continued provision of highly-specialized services when substantial duplication of cost to the Government would not be expected to be recovered through competition, or there would be unacceptable delays in fulfilling the Agency's requirements.

The SSP Management initiated an action plan that will fast track completion of the International Space Station (ISS), by launching 9 Space Shuttle missions between now and September 2010. To safely complete these Space Shuttle Missions, all contractual elements associated with the program will be required to perform their missions proficiently and without delays. Competition of the Space Shuttle operations requirements could lead to the loss of knowledgeable personnel introducing unacceptable risk to the SSP. The on the job training lead time for any lost employees is six months, which is an unacceptable delay that would possibly result in a degradation of SSLRASS support. In addition, the schedule margin that would be required for a competitive selection, six to eight months, and potentially incorporating a new prime contractor into the program would hinder Dryden's ability to support the ISS assembly schedule. Due to the extensive transition time

required, and associated disruption of the Space Shuttle operations services, there is a potential for increased safety risks to the orbiter and crew.

Therefore, Lockheed Martin is the only firm capable of fulfilling the proposed requirements within the schedule constraints described.

5. A demonstration that the proposed contractor's unique qualifications or the nature of the acquisition requires use of the authority cited:

LMMS history with the SSP at NASA Dryden extends back 30 years since inception of space shuttle operations at NASA DFRC. This gives LMMS a unique and intimate knowledge of the Space Shuttle launch, on orbit, landing and turnaround support operations at Edwards AFB. This unique knowledge of operational functions and capabilities could not be replicated by another company without incurring significant duplicate costs, which would range from \$350K to \$500K, and unacceptable delays and safety risks in fulfilling the Agency's obligations to the SSP. No other contractor could perform all of the highly specialized services under the contemplated contract without seriously compromising performance or incurring substantial duplication of costs and additional safety risk. Additionally, continuing to contract with LMMS for the duration of the program will aid in workforce retention and vendor-base stability during this transition, helping to mitigate any impacts to the SSP.

6. Description of the efforts made to ensure that offers are solicited from as many potential sources as practicable:

A sole-source synopsis was publicized April 15, 2008, at www.fedbizopps.gov as required by FAR Subpart 5.2.

7. Description of the market survey conducted, and the results, or a statement of the reasons a market survey was not conducted:

When considering possible competition options for this Shuttle follow-on contract, informal discussions took place with the companies that were in the competitive range of the last SSLRASS competition. These discussions determined that although there are a few vendors in the aerospace industry that could perform parts of the effort required in this procurement, there is no single company outside of Lockheed Martin that is able to perform all required functions in the time required and without substantial impact to the Shuttle program. Further, no company expressed any interest in competing for the SSLRASS, particularly in light of the fact that it would be an "expensive" competition for such a short duration.

8. Other facts supporting the use of other than full and open competition:

- a. Failure of equipment, improper scheduling of personnel and/or improper operation of equipment during critical time periods could result in a catastrophic Space Shuttle event. A qualified and experienced contractor is vital to the overall success of this program. The successful contractor must possess the technical qualifications to safely accomplish Performance Work Statement (PWS) requirements and have the ability to work closely and in conjunction with the DFRC Shuttle program management and technical staff. As such, the Government must ensure that a well-qualified and knowledgeable contractor is

awarded this procurement. It is imperative that NASA avoids making significant changes to the contractor community currently conducting work for the SSP.

- b. Edwards Air Force Base is currently utilizing a new "temporary 12000 x 200 foot wide asphalt runway" to be utilized during complete replacement of the existing 15000 x 300 foot wide cement runway. This runway is significantly smaller than any existing runway on which the Space Shuttle has previously landed. The SSP office has deemed the new runway acceptable as a contingency landing site upon completion of the placement and certification of the various Space Shuttles landing aids supported by the current PWS. This transition of this magnitude has never been requested during the life of the program and was accomplished during and within the current flight schedule. It required competent, completely trained and certified technicians to safely accomplish this transition and not impact the program. With the approval of the Contracting Officer and with the technical oversight of the COTR, Dryden's LMMS contractors have been working with numerous Air Force Flight Test Center, Johnson Space Center and Kennedy Space Center counterparts to assure that initial transition to the temporary runway was accomplished safely and without impact to the current program schedule. It is further stipulated that transition of these landing aids, back to the "newly refurbished original runway," must also be accomplishment during the current/compressed space shuttle launch/landing schedule. Completion of the refurbished runway is currently scheduled to take place during the fourth quarter of 2008 with options to extend completion into the third quarter of 2009. We anticipate activation of these options, with transition and certification of the Space shuttle landing aids being initiated/required in the second quarter of 2009.
- c. The Vision for Space Exploration expedited the requirement for the SSP to plan for the Space Shuttle fleet's retirement, compounding the need to contract with the same company. The Vision calls for the retirement of the Space Shuttle fleet in approximately 2010, while still meeting NASA's ISS obligations, including commitments to our International Partners. Changing contractors as the Agency approaches the time to transition to Space Exploration would require time, funding, and training for the new vendor to become familiar with the program and equipment, which would not be cost effective under this scenario.
- d. Because many variables are involved in attempting to project increases in schedule and cost as a function of a potential alternate source, precise estimates are not possible; however, the estimated costs that would be duplicated if the acquisition were to be competed range from \$350K to \$500K. This amount factors in such items as bid and proposal cost and as much as twenty percent duplication of effort during the transition between contractors, which is estimated to be from one to three months. There is also the potential for the launch schedule to be impacted, due to the potential risks involved with continuing scheduled launches during contractor transition. Even assuming a considerable margin of error in these values, it is clear that no other source than Lockheed Martin would have a reasonable chance of completing the complex contract requirements within the Government's schedule requirements.

9. Sources, if any, that expressed an interest in writing in the acquisition:


No responses were received as a result of the synopsis that was posted on April 15, 2008. We believe that given the magnitude and nature of the effort, as well as large bid and proposal costs and the potential risks involved in this follow-on activity, contractors determined that there would be little, if any, return on their investment to submit such a proposal.

10. The actions, if any, the Agency may take to remove or overcome any barriers to competition before any subsequent acquisition for the supplies or services required:

The Agency continually attempts to overcome barriers to competition by analyzing different sources that might be qualified for similar future acquisitions. However, since the Space Shuttle Program will be retiring in 2010, there will no longer be a need for this support. If the requirement changes, NASA will begin surveying the market for new sources.


Title of Procurement: Space Shuttle Landing & Research Aircraft Support Services
Contract

Technical Officer: I certify that the supporting data presented in this justification are accurate and complete.


George Grimshaw
Contracting Officer's Technical Representative


7/23/08
Date

Contracting Officer: I hereby determine that the anticipated cost to the Government will be fair and reasonable and certify that this justification is accurate and complete to the best of my knowledge and belief.


Cynthia M. Garcia, Contracting Officer

7/23/08
Date

CONCURRENCE:


Richard Swanson, Procurement Officer

7-25-08
Date

CONCURRENCE:


Brian Bowman, Procurement Analyst

7/28/08
Date

CONCURRENCE:


Office of Chief Counsel

7/25/08
Date

APPROVED:


Dave McBride
DFRC Competition Advocate

7/29/08
Date